

Message Text

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ACTION ARA-10

INFO OCT-01 ISO-00 FEA-01 ACDA-05 AGR-05 AID-05 CEA-01

CEQ-01 CG-00 CIAE-00 CIEP-01 OFA-01 COME-00 DLOS-04

DODE-00 DOTE-00 EB-07 EPA-01 ERDA-05 FMC-01 H-02

INR-07 INT-05 IO-10 JUSE-00 L-03 NSAE-00 NSC-05

NSF-01 OES-03 OMB-01 PA-01 PM-03 PRS-01 SP-02 SS-15

USIA-06 TRSE-00 /114 W
----- 059899

R 161502Z JUN 75

FM AMEMBASSY NASSAU

TO SECSTATE WASHDC 6823

INFO COMDT COGARD WASHDC

CCGDSEVEN MIAMI

C O N F I D E N T I A L NASSAU 974

E. O. 11652: GDS

TAGS: EFIS BF

SUBJ: SPINY LOBSTER/CONTINENTAL SHELF

REF: A) NASSAU 885, B) NASSAU 952

1. REF A REPORTED MINEXTAFF ADDERLEY AGREEMENT TO GO TO CABINET TO SEEK APPROVAL TO ENGAGE IN A DIALOGUE WITH US ON ABOVE SUBJECT. HE HOPED TO HAVE SUCH APPROVAL SOON.

2. REF B REPORTED GENUINE CONCERN BY COMMANDER COAST GUARD DISTRICT SEVEN, RADM WAGNER, SHARED BY THIS EMBASSY, THAT IN ABSENCE OF DEFINITIVE RESOLUTION OF ISSUE AS A RESULT OF DIALOGUE OR ALTERNATIVELY OF POSITIVE GCOB WILLINGNESS TO AFFECT LEGISLATION, WE COULD BE FACED WITH CONFLICT INCIDENTS AFTER FISHING SEASON OPENS ON AUGUST 1. REF B ALSO SET FORTH A PROPOSED TACTIC FOR PLACING MAXIMUM PRESSURE ON GCOB TO AGREE TO MORATORIUM. CONSISTENT WITH THIS APPROACH WE BELIEVE THERE
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IS ANOTHER ACTION WE COULD TAKE AT THIS TIME TO BE SURE USG

POSITION AND CONCERN IS CLEARLY UNDERSTOOD.

3. AS NOTED REF A, EMBASSY IMPRESSED BY HOW SHORT A TETHER ADDERLEY OPERATES UNDER IN SUCH MATTERS. EVEN THOUGH HE AGREED IT WAS SENSIBLE FOR US TO BEGIN DIALOGUE HE COULD NOT MOVE WITHOUT FIRST GETTING FORMAL CABINET APPROVAL. TWO OF THE REGULARLY SCHEDULED WEEKLY CABINET MEETINGS HAVE SENCE PASSED WITHOUT FURTHER WORD FROM ADDERLEY. NOW PM PINDLING IS OFF TO LONDON UNTIL JUNE 21, WHICH MEANS THAT NEXT WEEKLY CABINET MEETING WILL NOT OCCUR BEFORE TUESDAY, JUNE 24. WITH BUSINESS ACCUMULATED DURING PM'S ABSENCE TO BE DEALT WITH, OUR PROPOSAL FOR TALKS MAY OR MAY NOT BE ON JUNE 24 CABINET AGENDA. IN SHORT, THE USUAL PACE OF GCOB MOVEMENT MAKES IT PROBLEMATIC THAT TALKS, EVEN IF GCOB AGREES TO THEM, CAN BE UNDERTAKEN MUCH BEFORE EARLY JULY. EVEN THEN, AS WE HAVE PREDICTED EARLIER, WE WOULD ANTICIPATE SLOW PROGRESS.

4. IN REVIEWING ABOVE CONSIDERATIONS EMBASSY IS OF VIEW THAT, THOUGH THE RECORD WITH DDERLEY AS TO OUR CONCERN IS CLEAR, HE MAY NOT HAVE BEEN EFFECTIVE IN GETTING THE POINT ACROSS CLEARLY WHERE IT COUNTS, I.E., WITH PM. (ALTERNATIVELY, HE MAY HAVE MADE THE POINT AND PM, EITHER BY REASON OF BEING PREOCCUPIED WITH OTHER PROBLEMS OR FOR REASONS OF HIS OWN, HAS NOT APPRECIATED FULL IMPLICATIONS OF THE PROBLEM AND MOST PARTICULARLY HOW NEAR IN POINT OF TIME WE ARE TO POSSIBLE DISAGREEABLE INCIDENTS.)

5. MY VIEW IS THAT THE TIME HAS COME TO DRIVE THIS POINT HOME DIRECTLY TO PM. IN DOING SO, I WOULD PROPOSE THAT WE REPEAT THE ESSENTIAL POINTS WE HAVE PREVIOUSLY MADE TO ADDERLEY:

A) USG DOES NOT CHALLENGE LEGALITY OF GCOB CONTINENTAL SHELF LEGISLATION;

B) NEVERTHELESS IMPORTANT USG INTEREST IS AFFECTED, I.E., US SPINY LOBSTER FISHING;

C) USG READY TO EXPLORE ALL REASONABLE ARRANGEMENTS FOR ACCOMMODATING GCOB DESIRE TO PROTECT LONG-TERM VIABILITY OF SPINY
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LOBSTER RESOURCE WHILE MEETING CONTINUING USG DESIRE FOR ACCESS TO FISHING RIGHTS. LICENSING MIGHT BE ONE SUCH SOLUTION BUT USG HAS NO FIXED PRECONCEPTIONS AS TO SINGLE BEST WAY TO ACCOMMODATE LEGITIMATE INTERESTS BOTH PARTIES;

D) CONSISTENT WITH (C) ABOVE, USG PROPOSED SIX MONTHS AGO THAT EXPLORATORY DISCUSSIONS OF ALL ASPECTS OF ISSUE BE UNDERTAKEN. DEFINITIVE GCOB RESPONSE YET TO BE RECEIVED;

E) USG HAS ALSO CONSISTENTLY POINTED OUT LATENT DANGERS IN A FAILURE TO REACH MUTUAL AGREEMENT ON HOW INTERESTS OF BOTH PARTIES MIGHT BE ACCOMMODATED, NAMELY, POSSIBILITY OF CONFLICT SITUATIONS GROWING OUT OF GCOB ATTEMPTS TO ENFORCE NEW LEGISLATION. ESPECIALLY WITH LACK OF COMPLETE CONTROL OVER PRIVATE FISHERMEN, SOME OF VOLATILE CHARACTER ON BOTH SIDES, RESUMPTION OF SHOOTING OR BOMBING INCIDENTS OF AN EARLIER PERIOD COULD OCCUR. WE ARE PLEASED THAT PROBLEMS OF EARLIER PERIOD HAVE NOT RESURFACED, DUE IN LARGE MEASURE TO RESPONSIBLE ACTIONS TAKEN BY GOVERNMENTAL AUTHORITIES ON BOTH SIDES. OUR EFFORTS ON SPINY LOBSTER/CONTINENTAL SHELF DIRECTED TOWARD MAINTAINING THIS REULE OF REASON;

F) USG WOULD HOPE THAT GCOB WOULD BE PREPARED TO ENGAGE IN PREVIOUSLY PROPOSED DIALOGUE WITHOUT FURTHER DELAY. WE HOPEFUL SUCH DIALOGUE WOULD INDICATED HOW ACCOMMODATION OF BOTH GOVERNMENTS' INTERESTS COULD BE ACHIEVED. IF POSSIBLE, THIS SHOULD BE ACCOMPLISHED BEFORE AUGUST 1 OPENING OF NEW FISHING SEASONS. IF THIS PROVES INFEASIBLE DEADLINE, USG WOULD WANT TO EXCHANGE VIEWS AS TO INTERIM MEASURES WHICH MIGHT BE TAKEN, PENDING COMPLETION OF TALKS, E.G., MORATORIUM ON GCOB ENFORCEMENT.

5. TO UNDERLINE SERIOUSNESS WITH WHICH USG VIEWS MATTER AND TO AME SOMEWHAT LESS OBVIOUS OUR DOUBTS ABOUT ADDERLEY'S ABILITY TO GAIN PM'S EAR, I WOULD WANT TO BE IN POSITION OF SAHING TO PM THAT I WAS UNDER INSTRUCTION TO SUBMIT FOREGOING DEMARCHE TO HIM.

6. WHILE DELAY IN GCOB RESPONSE TO OUR PROPOSAL FOR TALKS PROVIDES IMMEDIATE AND LEGITIMATE EXCUSE TO RAISE ISSUE WITH PM, EVEN IF WE GET A GO AHEAD FOR COMMENCING DIALOGUE I STILL
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BELIEVE THAT ESSENTIALLY THE LINE SET FORTH PARA 4 ABOVE SHOULD BE PRESENTED BY ME TO PINDLING IF WE ARE TO HAVE ANY CONFIDENCE THAT GCOB UNDERSTANDS OUR ATTITUDE AND POTENTIAL SERIOUS CONSEQUENCES WE CAN SEE ARISING OUT OF GCOB ENFORCEMENT PRIOR TO REACHING A MUTUAL AGREEMENT ON SPINY LOBSTER/CONTINENTAL SHELF ISSUE.

7. REQUEST APPROVAL TO MAKE APPROACH DESCRIBED ABOVE, TIMING TO BE DETERMINED BY EMBASSY BUT PROBABLY SHORTLY AFTER PINDLING'S RETURN FOR LONDON.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: MEETING AGENDA, SHELLFISH, CONTINENTAL SHELF, FISHERIES MEETINGS, FOREIGN POLICY POSITION
Control Number: n/a
Copy: SINGLE
Draft Date: 16 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: RowellE0
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975NASSAU00974
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750209-0879
From: NASSAU
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750647/aaaabqlz.tel
Line Count: 165
Locator: TEXT ON-LINE, ON MICROFILM
Office: ACTION ARA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 4
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: 75 NASSAU 885, 75 NASSAU 952
Review Action: RELEASED, APPROVED
Review Authority: RowellE0
Review Comment: n/a
Review Content Flags:
Review Date: 25 JUN 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <25 JUN 2003 by CunninFX>; APPROVED <04 NOV 2003 by RowellE0>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: SPINY LOBSTER/CONTINENTAL SHELF
TAGS: EFIS, BF, US, (ADDERLEY)
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006